

ESTTA Tracking number: **ESTTA119091**

Filing date: **01/11/2007**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Henkel Corporation
Granted to Date of previous extension	01/14/2007
Address	2200 Renaissance Boulevard The Triad, Suite 200 Gulph Mills, PA 19406 UNITED STATES

Attorney information	Christel Emerson Henkel of America, Inc. 2200 Renaissance Boulevard The Triad, Suite 200 Gulph Mills, PA 19406 UNITED STATES christel.emerson@us.henkel.com, karen.garcia@us.henkel.com Phone:610-270-8163
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Applicant Information

Application No	78746076	Publication date	07/18/2006
Opposition Filing Date	01/11/2007	Opposition Period Ends	01/14/2007
Applicant	AMSENG 676G Bonded Parkway Streamwood, IL 60107 UNITED STATES		

Goods/Services Affected by Opposition

Class 001. All goods and sevicees in the class are opposed, namely: Adhesives for industrial applications
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Attachments	AQUA-NANO-LOCK_Opposition.pdf (4 pages)(124282 bytes)
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Signature	/christel emerson/
Name	Christel Emerson
Date	01/11/2007

AMSENG, Applicant

1. Opposer and its predecessors have used the trademark AQUALOCK in Commerce in association with industrial adhesives since prior to Applicant's application date of November 3, 2005.

2. Opposer, via assignment and merger, is the owner of United States Trademark Registration No. 1904859, a copy of which is attached hereto as Exhibit A, and which issued on July 11, 1995 for the trademark AQUALOCK, for "water-based adhesives for use in automotive, aerospace, and industrial areas of business, excluding floor products of any kind."

3. On November 3, 2005, Applicant filed an intent-to-use Federal trademark application for the mark AQUA-NANO-LOCK for "adhesives for industrial applications" ("Applicant's Goods").

4. Said application SN. 78/746076 published for opposition in the USPTO Official Gazette on July 18, 2006. Opposer has obtained extensions of time to oppose this application up until now.

5. There is no issue as to priority. Upon information and belief, Applicant has not yet used AQUA-NANO-LOCK in commerce on or in association with the goods set forth in the application. Opposer has priority based on use and registration of its mark AQUALOCK in the United States since long before Applicant's application date.

6. The goods identified in Applicant's application are identical to the goods with which Opposer's mark AQUALOCK is used and for which it is registered, and Applicant's Goods are intended for sale to the same customers and through the same channels of trade.

7. Applicant's proposed trademark AQUA-NANO-LOCK so resembles Opposer's trademark AQUALOCK as to be likely, when applied to Applicant's Goods, to cause confusion or to cause mistake or to deceive within the meaning of 15 U.S.C. §1052(d), in view of Opposer's prior use, ownership and registration of its trademark AQUALOCK.

8. Registration should therefore be refused under 15 U.S.C. §1052(d).

9. Registration of Applicant's proposed mark on the Principal Register would be inconsistent with Opposer's rights under the aforementioned registration, and its common-law rights, and would be damaging to Opposer.

WHEREFORE, Opposer prays that its opposition be sustained and that the registration sought by Applicant be refused.

Respectfully submitted,

By: _____

Christel Emerson
Attorney for Opposer
c/o Henkel of America, Inc.
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Dated: 4/11/07

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Int. Cl.: 1

Prior U.S. Cls.: 1, 5, 6, 10, 26, and 46

United States Patent and Trademark Office **Reg. No. 1,904,859**
Registered July 11, 1995

**TRADEMARK
PRINCIPAL REGISTER**

AQUALOCK

**B.F.GOODRICH COMPANY, THE (NEW YORK
CORPORATION)
3925 EMBASSY PARKWAY
AKRON, OH 443131799**

**FOR: WATER-BASED ADHESIVES FOR USE
IN AUTOMOTIVE, AEROSPACE, AND INDUS-
TRIAL AREAS OF BUSINESS, EXCLUDING**

**FLOOR PRODUCTS OF ANY KIND, IN CLASS
1 (U.S. CLS. 1, 5, 6, 10, 26 AND 46).
FIRST USE 3-18-1993; IN COMMERCE
3-18-1993.**

SN 74-325,263, FILED 10-26-1992.

JULIE CLINTON, EXAMINING ATTORNEY